

Before the
POSTAL REGULATORY COMMISSION
WASHINGTON, DC 20268-001

Woodstock Post Office
Woodstock, Minnesota

Docket No. A2012-33

REPLY COMMENTS OF THE PUBLIC REPRESENTATIVE

(November 30, 2011)

I. Introduction and Procedural History

On October 25, 2011, the Postal Regulatory Commission (Commission) received two petitions for review of the Postal Service's Final Determination (FD) to close the Woodstock post office located in Woodstock, Minnesota. The first petition was filed for review by Carl E. Gearhart. The second petition was filed for review by Gary Ambrose. By order issued October 31, 2011, the Commission established Docket No. A2012-33 to consider the appeal, designated a Public Representative, and directed the Postal Service to file its Administrative Record and any responsive pleadings. Order No. 939.

On November 3, 2011, the Commission received Petitioner's Form 61 in support of the petition.¹

On November 9, 2011, the Postal Service filed an electronic version of the Administrative Record (AR) concerning its "Proposal to Close the Woodstock, MN Post Office and Establish Service by Rural Route Service" with the Commission.

II. Background

The Woodstock post office, Woodstock, Minnesota 56186 is located in Pipestone County, Minnesota. AR FD Item No. 1 at 1. It is an EAS Level-53 post office providing service to 34 Post Office Box customers and total customers. AR Item No. 1 at 1. There is a single permit mailer. AR Item 15 at 1.

Woodstock postmaster retired May 27, 2005. An Officer-in-Charge (OIC) and noncareer Postmaster Relief (PMR) are operating the office and upon closing may return to assigned Postal Service positions. Woodstock is an unincorporated community. The community is comprised of retirees, farmers, self-employed, and those who commute to work at nearby communities and work in local businesses. There are 24 businesses and organizations located in the service area. AR FD Item 47 at 5. The Community Survey Sheet notes "flat population" growth for the future and 2 renters expected to occupy vacant housing units. AR Item 16 at 1.

The lobby and Window Service hours at the Woodstock post office are provided Monday through Friday from 10:45 a.m. to 3:15 p.m. and on Saturdays from 10:15 a.m. to 11:15 a.m. AR FD Item 15 at 1. An average of 28 daily transactions and 27.1 average daily workload minutes was evidenced in the Window Transaction Survey from May 7, 2011 to May 20, 2011. AR Item 10 at 1. Office receipts were \$16,613 in FY 2008; \$18,134 in FY 2009; and \$16,460 in FY 2010. AR FD Item 47 at 2. The facility is accessible to persons with disabilities. The annual cost of leasing the building is \$4,939 and the lease expires June 30, 2016. The lease cancellation clause is 30 days. AR Item 15 at 1.

The Woodstock post office earned 34 WSCs. (Workload Service Credits). AR Item 9 at 1. According to the Postal Service, the estimated annual savings associated with the closing is \$19,672. AR Item 33 at 6. Upon closing the Woodstock post office, delivery and retail service will be provided by the Lake Wilson Post Office located at 137 Broadway Avenue, Lake Wilson, Minnesota, approximately 7.4 Euclidean miles away. AR FD Item 47 at 2; AR Item 4 at 1. The Window Service hours at Lake Wilson Post Office are from 8:15 a.m. to 11:30 a.m. and 12:30 p.m. to 3:45 p.m. Monday through Friday, and 8:15 a.m. to 9:00 a.m. on Saturday. The Lake Wilson office has 58 post office boxes available. AR FD Item 47 at 2.

Although there will no longer be a retail outlet in the community, customers will not change their address. A rural route carrier service will be available from the Lake Wilson post office located 7.4 Euclidean miles away. AR FD Item 47 at 6.

A total of 171 questionnaires were distributed to delivery customers on June 03, 2011. Forty Nine (49) questionnaires were returned; 3 were favorable; 4 were

unfavorable; and 42 expressed no opinion. AR FD Item 47 at 2. A community meeting was held on June 15, 2011. Eighteen (18) customers attended the meeting. AR Item 24 at 1. Though not recognized in the AR, the community submitted a petition with 8 signatures on November 3, 2011. AR Item 27 at 1.

On June 29, 2011, the Proposal to close the Woodstock post office was posted and removed August 30, 2011. AR Item 31 at 1.

The Final Determination signed by the Vice President of Delivery and Post Office Operations was posted at the Woodstock post office on September 09, 2011 and removed on November, 30, 2011. The Final Determination concludes the proposal will not adversely affect the community. AR FD Item 47 at 1-6.

Four disadvantages are listed in the Final Determination : (1) the loss of an independent retail outlet and postmaster position, (2) meeting the delivery carrier at the box to transact business, however transactions can be conducted without being present, (3) the mailing address will change, insofar as a carrier route address will be assigned, the community name will continue to be used, (4) PO Box Fees may change as a result of the proposal. AR FD Item 47 at 5.

Six advantages listed in the Final Determination: (1) rural carriers may provide retail services, (2) carrier service allows 24-hour access to mail, (3) savings for the Postal Service contribute to long run postage rate stability and savings for customers, (4) Parcel lockers provide convenient parcel delivery for customers, (5) customers opting for carrier service will not have to pay post office box fees, (6) carrier service saves customers who drive to the post office time and energy. AR FD Item 47 at 4.

III. Participant Pleadings

A. Petitioners

Petitioner Gearhart's views were expressed in his letter accepted for filing at the Commission October 25, 2011. As to the effect of the closing on the degree and effective and regular postal services to the community, Petitioner Gearhart makes two statements: (1) that he shall seek alternative mailing services to forestall driving 13 miles to nearest Postal Office and, (2) a rural route carrier will be inefficient. He claims

that the calculation of economic savings from closing the Woodstock post office is incorrectly overstated.

Petitioner Ambrose's views were expressed in his letter accepted for filing at the Commission October 25, 2011. As to the effect of the closing on the community, Petitioner Ambrose states that the closing would damage the small-town disproportionately. He also questions whether the closures of 3,700 post offices will produce economic savings in comparison to undisclosed alternative measures. Petitioner Ambrose suggests placing a moratorium on all closures until more ideas are generated on how to decrease costs and increase revenue for the Postal Service.

B. The Postal Service

The Postal Service sees Petitioners' objection as raising three issues: (1) the impact on the postal services, (2) the Woodstock community, and (3) the economic savings. The Postal Service claims it gave serious consideration to these issues.

The Postal Service argues that it has (1) followed the proper procedures; (2), considered the effect of the closing on the Watson community, the economic savings of the closing, the effect on postal employees and other factors consistent with the mandate of 39 U.S.C. § 404(d)(2)(A); and (3) determined the advantages outweigh the disadvantages and that effective and regular service will continue to be provided Watson post office customers. The Comments conclude the Postal Service's decision should be affirmed.

IV. Commission Analysis

The Commission's authority to review post office closing is provided by 39 U.S.C. § 404(d)(5). That section requires the Commission to review the Postal Service's determination to close or consolidate a post office on the basis of the record that was before the Postal Service. The Commission is empowered by section 404(d)(5) to set aside any determination findings, and conclusions that it finds to be (a) arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with the law; (b) without observance of procedure required by law; or (c) unsupported by substantial

evidence in the record. Should the Commission set aside any such determination, findings, or conclusions, it may remand the entire matter to the Postal Service for further consideration. Section 404(d)(5) does not, however authorize the Commission to modify the Postal Service's determination by substituting its judgment for that of the Postal Service.

A. Notice to Customers

Section 404(d)(1) requires that, prior to making a determination to close any post office, the Postal Service must provide notice of its intent to close. Notice must be given 60 days before the proposed closure date to ensure that patrons have an opportunity to present their views regarding the closing. The Postal Service may not take any action to close a post office until 60 days after its determination is made available to persons served by that office. 39 U.S.C. § 404(d)(4). A decision to close a post office may be appealed within 30 days after the determination is made available to persons served by the office .39 U.S.C. § 404(d)(5).

On June 22, 2011 notice signed by the Post Office Review Coordinator was provided to the OIC, which provided instruction to post endorsed proposal in prominent place on June 29, 2011 through August 30, 2011. The Notice also instructed that an "Invitation for Comments" be posted adjacent to said proposal for said time period.

B. Other Statutory Considerations

In making a determination on whether or not to close a post office, the Postal Service must consider the following factors: the effect on the community; the effect on the postal employees; whether a maximum degree of effective and regular postal service provided; and the economic savings to the Postal Service. 39 U.S.C. § 404(d)(2)(A).

V. Conclusion

Based on a review of the record before it, the Public Representative concludes that the Postal Service has adequately considered all requirements of 39 U.S.C. §

404(d), and advises that the determination to close the Woodstock post office be affirmed.

Respectfully Submitted,

/s/ Brent Peckham

Brent Peckham

Public Representative

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